



**MOORE COUNTY PLANNING BOARD
SPECIAL MEETING
THURSDAY, FEBRUARY 24, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of January 2, 2020
- C. Consideration of Abstentions

III. PUBLIC HEARINGS

- 1. **General Use Rezoning Request: Neighborhood Business (B-1) to Rural Agricultural (RA)- Dervin Spell**

IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger

V. BOARD COMMENT PERIOD - Chairman

VIII. UPCOMING EVENTS

- Tuesday, March 3, 2020 10:30AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, March 5, 2020 6:00PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, March 17, 2020 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

III. ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

**PUBLIC COMMENT PROCEDURES
MOORE COUNTY PLANNING BOARD**

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

**MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, JANUARY 2, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

Board Members Present: Joe Garrison (Chairman), Eddie Nobles, John Matthews, Harry Huberth (Vice Chairman), Bobby Hyman

Board Members Absent: Jeffrey Gilbert, Matthew Bradley, John Cook

Staff Present: Debra Ensminger, Planning Director
Ward Medlin, Deputy County Attorney
Theresa Thompson, Planning Supervisor
Dervin Spell, Planner
Stephanie Cormack, Administrative Officer

CALL TO ORDER

Chairman Joe Garrison called the meeting to order at 6:00 pm.

INVOCATION

Board Member Eddie Nobles offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member Bobby Hyman led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member Harry Huberth read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of December 5, 2019
- C. Consideration of Abstentions

Board Member Harry Huberth made a motion for approval of the consent agenda. Board Member Bobby Hyman seconded the motion and the motion passed unanimously 5-0.

PUBLIC HEARING

Public Hearing #1 –General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20)-Theresa Thompson

Planning Supervisor Theresa Thompson presented a request by Pete Mace requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 15.86 (entire portion currently zoned B-2) of an approximate 363.39 acre parcel located on the corner of Carthage Rd. and Gretchen Rd., West End, owned by TKCSJM Harris LLC, per Deed Book 5090 Page 463.

Mrs. Thompson went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

With no further discussion or Public Comment Chairman Garrison closed the public hearing.

With no further comments Board Member Harry Huberth made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Bobby Hyman; motion passed unanimously 5-0 for approval.

Board Member Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 of approximately 15.86 (entire portion currently zoned B-2) of an approximate 363.39 acre parcel located on the corner of Carthage Rd. and Gretchen Rd., West End. The motion was seconded by Board Member Harry Huberth; motion passed unanimously 5-0 for approval.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger reminded the Board of the next Planning Board Meeting on February 6th which will have one item on the agenda.

BOARD COMMENT PERIOD

Board Chair Garrison thanked staff for their hard work.

ADJOURNMENT

With no further comments Board Member Harry Huberth made a motion to adjourn the January 2, 2020 regular meeting. The motion was seconded by Board Member Bobby Hyman and the motion passed unanimously 5-0. The meeting adjourned at 6:10 p.m.

Respectfully submitted by,

Stephanie Cormack

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: January 3, 2020

SUBJECT: General Use Rezoning Request:
Neighborhood Business (B-1) to Rural Agricultural (RA)

PRESENTER: Dervin Spell

REQUEST

Angie English & Jeremy Phillips are requesting a General Use Rezoning from Neighborhood Business (B-1) to Rural Agricultural (RA) of an approximate 2.4 acre parcel, located at 17204 NC Hwy 24-27, Biscoe, owned by Angie English & Jeremy Phillips, per Deed Book 5239 Page 100.

Public notification consisted of publishing a legal notice in the local newspaper for two consecutive weeks, notification by mail to adjacent property owners, and placing public hearing signs on the property.

BACKGROUND

There is an accessory building located on the property. The single family dwelling unit was recently removed. The existing accessory building was originally a retail store selling pottery from the 1970's until 1999. The owners plan to build a single family dwelling unit on the property which requires the property to be rezoned to a residential zoning district. The current owners will convert the accessory building to a car garage for their personal vehicles.

ZONING DISTRICT COMPATIBILITY

The requested rezoning to Rural Agricultural (RA) is consistent with the existing uses located near the property, including single family residential. The surrounding area is Rural Agricultural (RA).

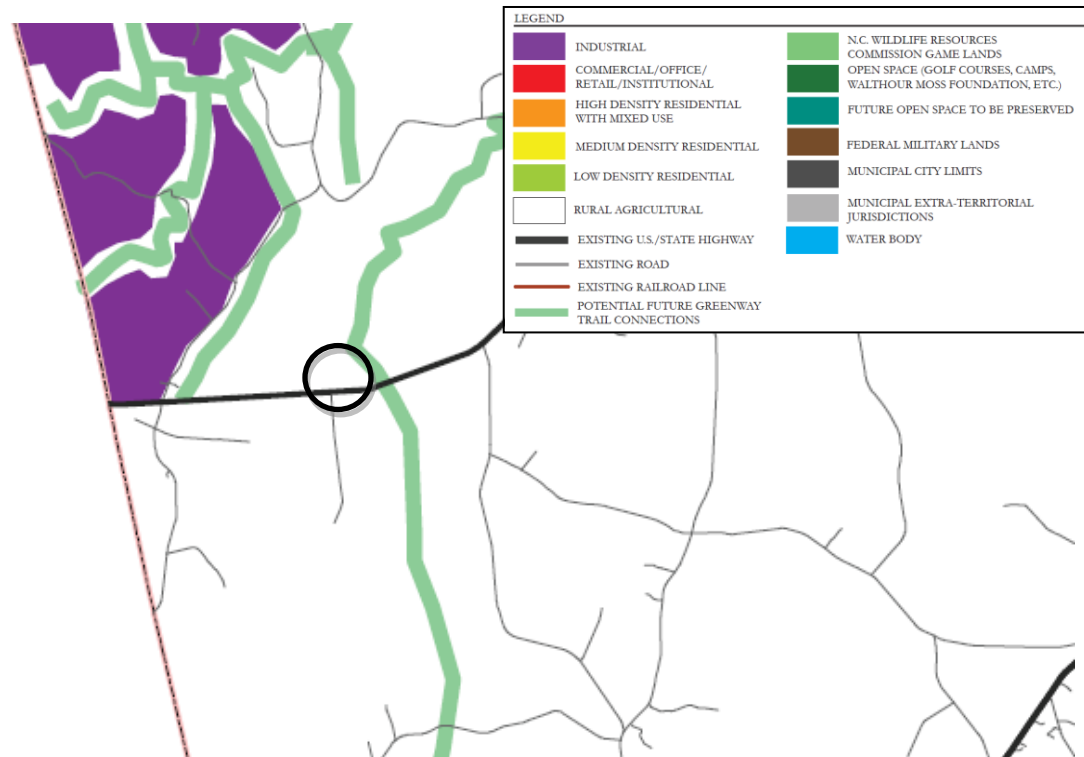
CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The future land use map identifies the property as Rural Agricultural Land Use Classification. The requested zoning to Rural Agricultural (RA) is compatible with the Rural Agricultural Residential Land Use Classification.

The Land Use Plan states the primary use of land in the Rural Agricultural Land Use Classification is to support rural residential life associated with agricultural uses (e.g. row crops, forestry, horticulture, grazing, poultry, dairy, swine operations, and intensive agricultural uses in certain areas) and other rural activities. Major subdivisions of land are strongly discouraged; however, family subdivisions and subdivisions of four or less lots would be considered.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.

MOORE COUNTY FUTURE LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to **adopt or deny** the attached Land Use Plan Consistency Statement to authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend **approval or denial** to the Moore County Board of Commissioners of the General Use Rezoning from Neighborhood Business (B-1) to Rural Agricultural (RA) of an approximate 2.4 acre parcel, located at 17204 NC Hwy 24-27, Biscoe.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map, Land Use Map, Rezoning Map
- Application
- Planning Board Consistency Statement – Approval & Denial
- Deed Book 918 Page 304

View of subject property from NC Hwy 24-27





View of NC Hwy 22 going Westbound



View of NC Hwy 22 going Eastbound



Vicinity Map



Vicinity Map



Land Use Map



Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

NC 24-27

RUTH

Vacant

Vacant

Vacant

Zoning Map



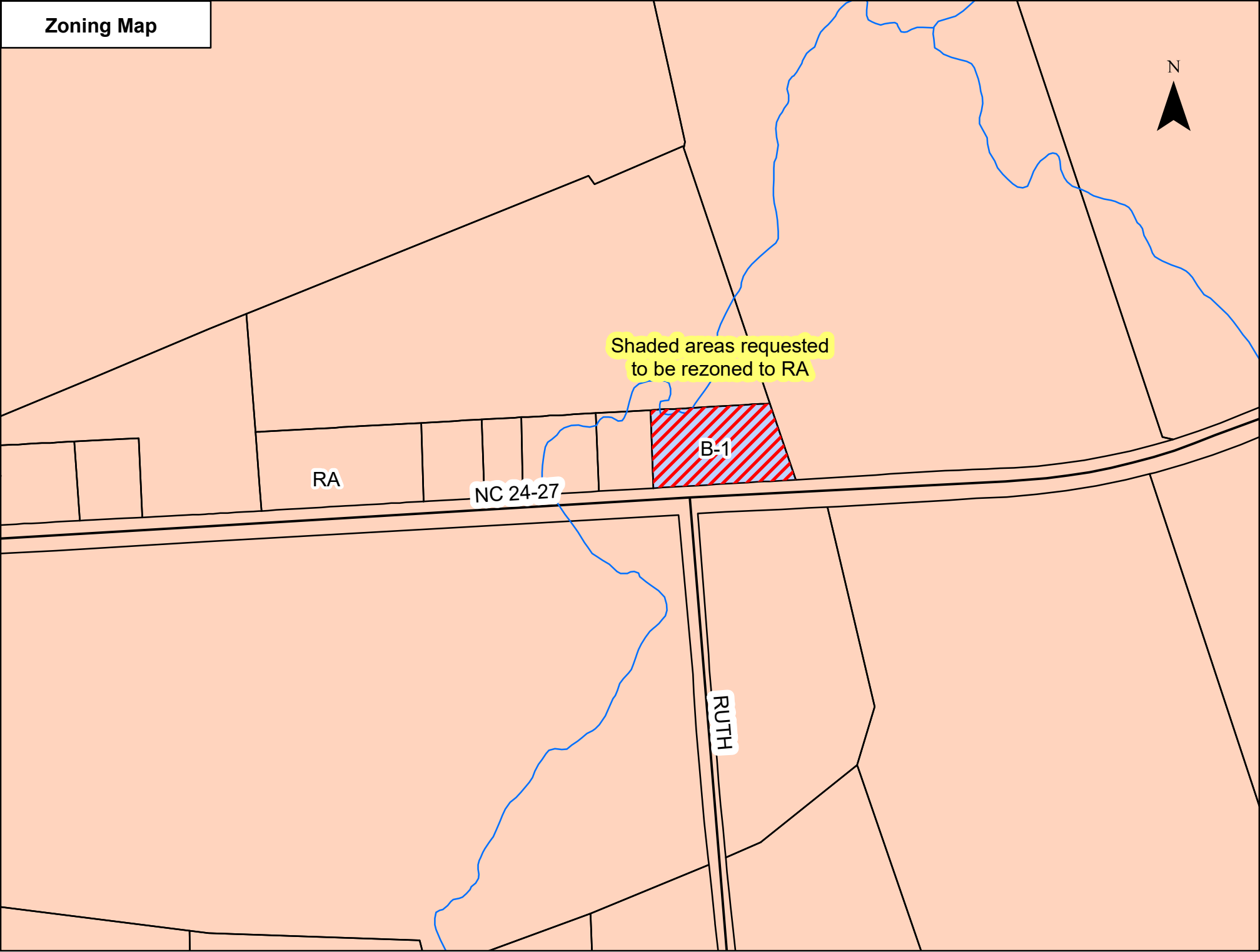
Shaded areas requested
to be rezoned to RA

RA

NC 24-27

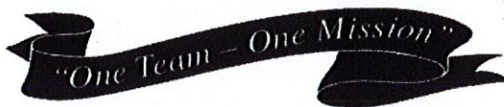
B-1

RUTH





County of Moore
Planning and Transportation



Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389
Fax: (910) 947-1303

GENERAL USE REZONING APPLICATION

Parcel 00013497

Application Date: 12-16-19			
Location/Address of Property: 17204 NC Hwy 24/27 Biscoe NC 27209			
Applicant: Angie English + Jeremy Phillips		Phone: 910-695-5701 910-695-5013	
Applicant Address: PO Box 1443	City: Robbins	St: NC	Zip: 27325
Owner: Angie English + Jeremy Phillips		Phone: 910-695-5013 910-695-5701	
Owner Address: PO Box 1443	City: Robbins	St: NC	Zip: 27325
Current Zoning District: B-1		Proposed Zoning District: R-A	
Comments: Change zoning on property from B-1 to R-A to Replace Existing Residence			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
Angie W English		12/16/19	
Applicant/Owner Signature		Date	
Jeremy Phillips		12/16/19	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: 00013497			
Drew Thompson		12/19/2019	
Received By		Date	

Address

Structure Footprints

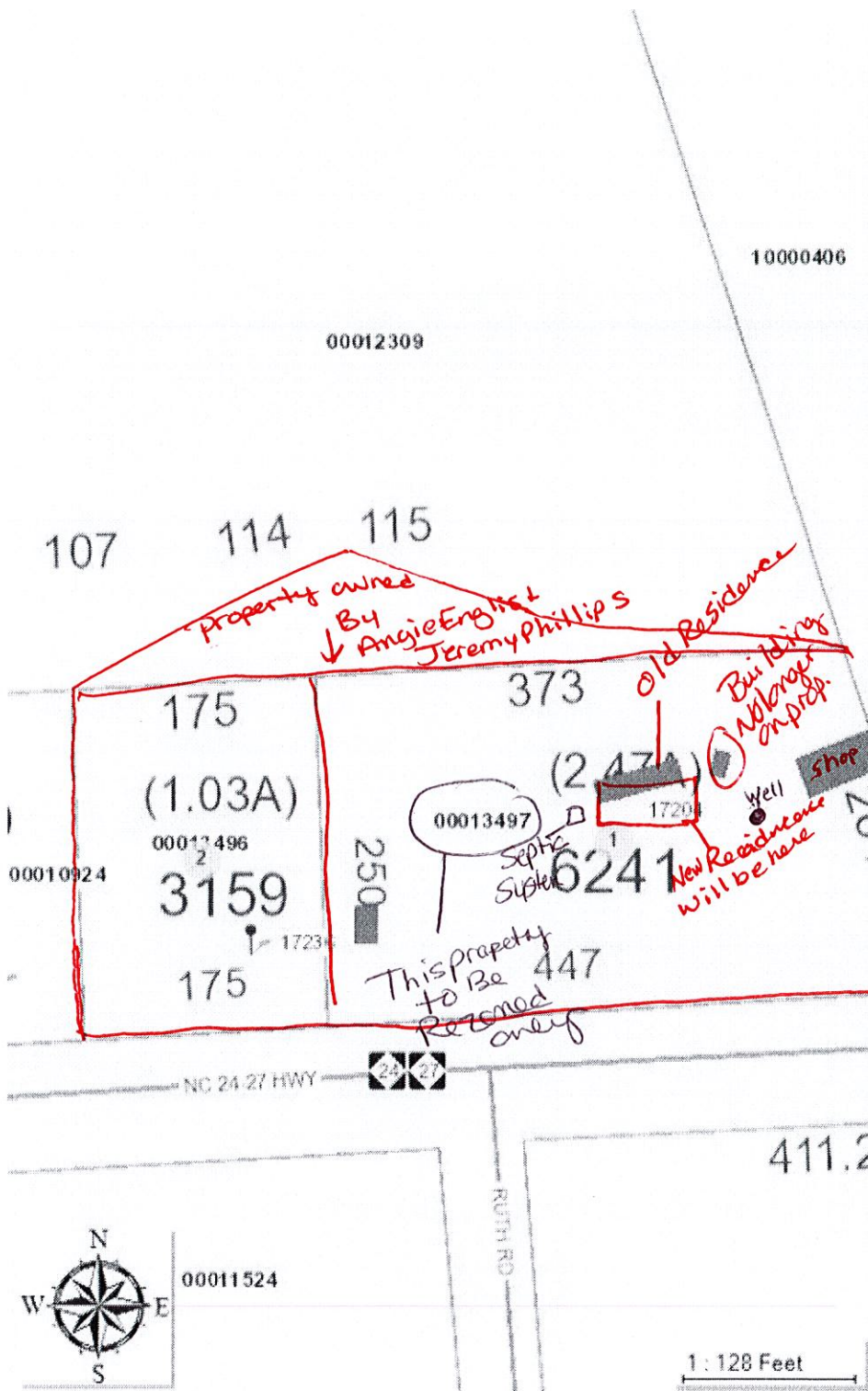
Parcels

County

Streets

Highways

Lakes and Rivers



Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Neighborhood Business (B-1) to Rural Agricultural (RA)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.

2. The rezoning request is reasonable and in the public interest considering the property is located in a rural residential area where single family dwelling units are a permitted use in the Rural Agricultural Zoning District.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from Neighborhood Business (B-1) to Rural Agricultural (RA) of an approximate 2.4 acre parcel, located at 17204 NC Hwy 24-27, Biscoe, owned by Angie English & Jeremy Phillips.

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Neighborhood Business (B-1) to Rural Agricultural (RA)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Neighborhood Business (B-1) to Rural Agricultural (RA) of an approximate 2.4 acre parcel, located at 17204 NC Hwy 24-27, Biscoe, owned by Angie English & Jeremy Phillips.

Joe Garrison, Chair
Moore County Planning Board

Date

For Registration Register of Deeds
Judy D. Martin
Moore County, NC
Electronically Recorded
December 11, 2019 9:46:36 AM
Book: 5239 Page: 100 - 101 #Pages: 2
Fee: \$26.00 NC Rev Stamp: \$0.00
Instrument# 2019018558

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax 0		Recording Time, Book and Page	
Tax Lot No. _____		Parcel Identifier No. _____	
Verified by _____		County on the _____ day of _____	
by _____			

Mail after recording to Thigpen & Jenkins, L.L.P., Post Office Box 792, Robbins, North Carolina 27325

This instrument was prepared by Frank C. Thigpen, Thigpen & Jenkins, L.L.P.

Brief description for the Index LT 108-131 IVEY B. LUCK SUB DIV.

THIS DEED made this 3rd day of December, 2019, by and between

GRANTOR	GRANTEE
Angie Williams English, Single	Angie Williams English Jeremy Shawn Phillips Post Office Box 1443 Robbins, NC 27325

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.q. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Bensalem Township, Moore County, North Carolina and more particularly described as follows:

Being Lots Numbers 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130 and 131 of the Ivey Subdivision, A plat which was filed for recording in the Office of Register of Deeds for Moore County, North Carolina, in April 1959.

Being the same property as described in Deed Book 4316, Page 255, Moore County Registry.

For further reference, see deed from Ivey B. Luck and wife, Ruby O. Luck, to Ado Brown and wife, Effie Brown, dated April 24, 1959, recorded in the Moore County Registry.

submitted electronically by "Thigpen and Jenkins, LLP"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 4316, Page 255
Moore County Registry

A map showing the above described property is recorded in Plat Book _____ page _____

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.
Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

USE BLACK INK ONLY


(Corporate Name)

By: _____

President

ATTEST: _____

Secretary (Corporate Seal)

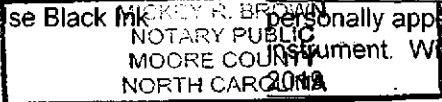

ANGIE WILLIAMS ENGLISH (SEAL)


(SEAL)

(SEAL)

(SEAL)

SEAL-STAMP NORTH CAROLINA, Moore County.
I, a Notary Public of the County and State aforesaid, certify that ANGIE WILLIAMS ENGLISH
Grantor,

Use Black Ink  personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of DECEMBER

My commission expires: 05/13/2021


MICKEY R. BROWN
NOTARY PUBLIC
MOORE COUNTY
NORTH CAROLINA
SEAL-STAMP NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____
personally came before me this day and acknowledged that he is _____ Secretary of
Use Black Ink _____ a North Carolina corporation, and that by authority
duly given and as the act of the corporation, the foregoing instrument was signed in its name by
_____ President, sealed with its corporate seal and attested by
as its _____ Secretary.
Witness my hand and official stamp or seal, this _____ day of _____
My commission expires: _____ Notary Public

The foregoing Certificate(s) of _____

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on first page hereof.

REGISTER OF DEEDS FOR _____
By _____ Deputy/Assistant – Register of Deeds